

### **REMARKS**

This Amendment and the following remarks are intended to fully respond to the final Office Action mailed January 8, 2008. In this Response, claims 1, 13, 23, and 29 are amended to incorporate limitations similar to those included in unamended claim 28. Claims 1-5, 7-18, 23-26, 28 and 29 remain present for examination. Reconsideration and allowance are requested for at least the following reasons.

#### **Information Disclosure Statement filed December 11, 2007**

In the Action, the Examiner notes that some of the references associated with the Information Disclosure Statement filed December 11, 2007 were not available for review at the time of the Action, and that the references would be considered and included with the next Action. Consideration and return of an initialed Form 1449 confirming consideration are requested with the next Action.

#### **Rejections Under 35 USC § 103**

Claims 1-3, 6, 7, 10-14, 18, 23, 24, 28, and 29 are rejected under 35 USC § 103(a) as being unpatentable over the Herrmann et al. publication (2004/0107360, hereinafter "Herrmann") in view of He et al. (US 6,088,451, hereinafter "He"). This rejection is respectfully traversed, and the correctness of the rejection is not conceded. Reconsideration is requested for the following reasons.

Claim 1 recites that the client periodically requests that the proof that the client possesses a required configuration be updated by the first server, regardless of further requests for access to the network resource. One non-limiting example of such a method is described at paragraphs 0072 and 0073 of the present application, wherein the Quarantine Agent 204 of the client 202 periodically updates its manifest by sending its health state to the Quarantine Server 201. This periodic update is done regardless of further requests for access to the network resource.

To establish a prima facie case of obviousness, the cited references, when combined, must teach or suggest all the claim limitations, and there must be a suggestion or motivation to combine the references. See MPEP 2143 et seq. Herrmann and He fail to disclose all of the limitations of claim 1 and, in any event, there is a lack of motivation to combine. As such, Herrmann and He do not render claim 1 obvious for at least the following reasons.

The Office Action concedes that Herrmann fails to disclose the noted limitation of claim 1. See Action, p. 7, § 27 (addressing similar limitation in claim 28). The Action cites He for disclosing the missing limitations, including periodically updating proof that the client possesses a required configuration regardless of further requests for access. Id.

However, He simply discloses a security system in which user authentication is accomplished using tickets that are sent by the server to the client in an encrypted format. The Action cites column 18, lines 12-14 of He as disclosing periodically updating proof that the client possesses a required configuration regardless of further requests for access. However, this section of He simply states that, upon receiving an encrypted ticket from the server, the client users a secret key to decrypt the ticket. Nothing in He discloses or suggests that the client periodically requests that the proof that the client possesses a required configuration be updated by the first server, regardless of further requests for access to the network resource, as recited by claim 1. Therefore, neither Herrmann nor He discloses all of the limitations of claim 1.

Further, there is a lack of motivation to combine He with Herrmann. He, which predates Herrmann, discloses an authentication system including reusable tickets that are employed to authenticate a user. In contrast, Herrmann discloses a system in which policy-related attributes for a client are reviewed each time the client requests access to network resources. He illustrates that the technology necessary to issue reusable tickets was known at the time Herrmann designed his system, yet Herrmann chose not to issue reusable tickets, but to instead re-check policy-related attributes each time the client requested access to the network. One skilled in the art would therefore not be motivated to combine He with Herrmann.

Reconsideration and allowance of claim 1, as well as claims 2, 3, 6, 7, 10 and 11 that depend therefrom, are therefore requested.

Claim 13 recites periodically requesting that the proof be updated by the first server, regardless of further requests for access to the network resource. Claim 13 is therefore allowable for at least similar reasons to those provided above. Reconsideration and allowance of claim 13, as well as claims 14 and 18 that depend therefrom, are therefore requested.

Claim 23 recites periodically requesting that the proof be updated by the first server, regardless of further requests for access to the network resource. Claim 23 is therefore allowable for at least similar reasons to those provided above. Reconsideration and allowance of claim 23, as well as claim 24 that depends therefrom, are therefore requested.

Claim 28 recites periodically requesting that the proof be updated by the first server, regardless of further requests for access to the network resource. Claim 28 is therefore allowable for at least similar reasons to those provided above. Reconsideration and allowance of claim 28 are therefore requested.

Claim 29 recites instructions including periodically requesting that the proof be updated by the first server, regardless of further requests for access to the network resource. Claim 29 is therefore allowable for at least similar reasons to those provided above. Reconsideration and allowance of claim 29 are therefore requested.

Claims 4, 5, 8, 9, 15-17, 23, 25, and 26 are rejected under 35 USC § 103(a) as being unpatentable over Herrmann in view He and further in view of Saito et al. (US 6,275,941) (hereinafter "Saito"). This rejection is respectfully traversed, and the correctness of the rejection is not conceded. Reconsideration is requested for the following reasons.

Claims 4, 5, 8, 9, 15-17, 23, 25, and 26 all depend from one of claims 1, 13, or 23 discussed above. Saito does not remedy the shortcomings of Herrmann and He noted above. Claims 4, 5, 8, 9, 15-17, 23, 25, and 26 are therefore allowable for at least the reasons discussed with respect to claims 1, 13, or 23.


### **CONCLUSION**

In light of the above remarks and amendments, it is believed that the application is now in condition for allowance and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

Respectfully submitted,  
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